

MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

JOHANA V. CASTRO
Assistant Corporation Counsel
phone: (212) 788-0976
fax: (212) 788-9776
email: jcastro@law.nyc.gov

February 8, 2008

BY FAX

(212) 805-0426

Honorable Laura T. Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Shamel King v. City of New York et al., 08 CV 0006 (LTS)

Dear Judge Swain:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and attorney for defendant¹ City of New York ("City"). I am writing with the consent of plaintiff's counsel, Izabel Garcia, Esq., to respectfully renew the City's request for an enlargement of time, until March 24, 2008, within which the City may answer or otherwise respond to the complaint.

By way of background, on or about January 22, 2008, defendant City made an application to the Court seeking a sixty-day enlargement of time, from January 22, 2008 until March 24, 2008 to answer or otherwise respond to the complaint. Defendants were unable to confer with plaintiff's counsel at the time the January 22, 2008 application was made. By Order dated January 22, 2008, the Court granted defendant's request for an enlargement of time until

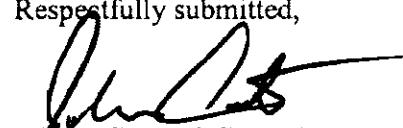
¹ On information and belief, the individuals identified in the caption of the complaint as "Police Officer Demarco" and "Police Officer O'Malley" have not been served with the summons and complaint in this action. Without appearing on their behalf, it is respectfully requested that, if they have been served, the same extension be granted to them in order to ensure that their defenses are not jeopardized while representation issues are being decided.

February 8, 2008, "without prejudice to further extension request on appropriate prior notice to plaintiff's counsel." Since that time, plaintiff's counsel has consented to the enlargement of time until March 24, 2008 and has provided this office with a criminal records release pursuant to New York Criminal Procedure Law § 160.50. This office has requested the records pertaining to plaintiff's underlying arrest and awaits their receipt.

In view of the foregoing, it is respectfully requested that defendant City's time to respond to the complaint be extended to March 24, 2008.

Thank you for your consideration in this regard.


Respectfully submitted,


Johana Castro (JC 1809)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: BY FAX
(718) 624-4748
Izabel Olszowa Garcia, Esq.
Attorney for Plaintiff
26 Court Street, Suite 1815
Brooklyn, NY 11242

The request is granted.

SO ORDERED.

 2/11/08
JUDGE